Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of)	
Applications of Sprint Nextel Corporation, Transferor)	
SoftBank Corp., and Starburst II, Inc., Transferees)	IB Docket No. 12-343
Joint Application for Consent to Transfer)	
International and Domestic Authority Pursuant to Section 214 of the Communications Act of)	
1934, as amended)	

REQUEST FOR EXTENSION OF TIME TO FILE PETITIONS TO DENY OF DISH NETWORK L.L.C.

Pursuant to Section 1.46(b) of the Commission's Rules, DISH Network L.L.C. ("DISH") requests a three-week extension of time to file petitions to deny in the above-captioned proceeding, which are currently due January 4, 2013. The requested extension is warranted in light of Monday's announcement that Sprint proposes to acquire all of the equity of Clearwire that it does not own upon consummation of the above-captioned transaction, where SoftBank proposes to acquire control over Sprint. Specifically, Sprint proposes to pay \$2.2 billion for Clearwire's remaining equity, effectively using a portion of the \$20.1 billion of Sprint's proceeds from the SoftBank transaction to that end.

¹ 47 C.F.R. § 1.46(b).

² Pursuant to this request, petitions to deny would be due January 25, 2013, oppositions would be due February 12, 2013, and replies would be due February 22, 2013.

³ SoftBank and Sprint Seek FCC Consent to the Transfer of Control of Various Licenses, Leases, and Authorizations from Sprint to SoftBank, and to the Grant of a Declaratory Ruling Under Section 310(b)(4) of the Communications Act, Public Notice, IB Docket No. 12-343, DA-12-1924 (rel. Nov. 30, 2012).

As the Commission is aware, Clearwire holds on average 160 MHz of Broadband Radio Service and Educational Broadband Service spectrum nationwide. This just announced transaction, justly described by the *Wall Street Journal* as "crucial" to SoftBank's acquisition of Sprint,⁴ puts SoftBank's proposed control over Clearwire (and Clearwire's spectrum) at the front and center of this proceeding. In particular, it raises a number of issues deserving of careful consideration, including:

- Is it in the public interest for a foreign company to control more spectrum below 3 GHz than any one other company in the United States?
- Does the proposed Clearwire acquisition represent a reacquisition of control by Sprint over Clearwire, since by its own admission, Sprint had fallen out of control of Clearwire in 2011?
- Should the transaction be viewed as part and parcel of Sprint's recent purchase of Eagle River's stake in Clearwire, whereby Sprint moved from an interest of just under 50% in Clearwire to just over 50%?
- Did Sprint stagger its acquisition of Clearwire in two steps in an effort to avoid meaningful Commission review?
- Should the Commission reevaluate the competitive effects of an aggregation of Sprint's and Clearwire's licenses, and have circumstances changed since the Commission's 2008 review?⁵
- Does the presumption in favor of foreign investment apply in light of the services Clearwire provides, and if not, does Japan offer effective competitive opportunities to U.S. providers of other similar services?

Interested parties need an appropriate amount of time to consider and address these issues, raised mid-way through the comment cycle. The holiday season only further complicates matters. The Commission has previously found that an extension is warranted when necessary to ensure that the Commission receives full and informed responses and that affected parties have a

⁴ Melodie Warner, Sprint in Deal to Buy Rest of Clearwire, Wall Street Journal, Dec. 17, 2012.

⁵ See Sprint Nextel Corporation and Clearwire Corporation Applications for Consent to Transfer Control of Licenses, Leases, and Authorizations, *Memorandum Opinion and Order*, 23 FCC Rcd. 17570 (2008).

meaningful opportunity to develop a complete record where additional information requires careful review.⁶

For the foregoing reasons, the public interest is best served by the requested three-week extension of the petition to deny and pleading cycle in the above-captioned proceeding.

Respectfully submitted,

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/s/

December 20, 2012

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⁶ See, e.g., Wireless Telecommunications Bureau Grants Extension of Time to File Reply Comments on Commercial Mobile Radio Services Market Competition, Public Notice, 24 FCC Rcd. 8490 (2009) (granting 14-day extension for "development of a complete record on the issues"); Media Bureau Grants Extension of Time to File Comments and Reply Comments in Response to Broadcast Localism Notice of Proposed Rulemaking, Public Notice, 23 FCC Rcd. 3741 (2008) (extending comment deadline "to enable commenters to adequately review, investigate, and comment on the specific issues raised in the NPRM and respond to the extensive comments filed in response thereto"); Applications for Consent to the Assignment and/or Transfer of Control of Licenses, Adelphia Communications Corporation, et al., Order, 20 FCC Rcd. 11145 (2005) (extending deadline in light of additional information); Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers, Order, 20 FCC Rcd. 19868 ¶ 3 (2005) (extending the deadline 30 days to permit parties "sufficient time to review the complex technical, economic and competitive issues being raised in this proceeding"); Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band, Order, 23 FCC Rcd. 10527 ¶ 4 (2008); Elimination of Rate-of-Return Regulation of Incumbent Local Exchange Carriers, Federal-State Joint Board on Universal Service, Order, 18 FCC Rcd. 26307 ¶ 2 (2003).